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District Attorney

THEODORE H. KATZ
U.S. MAGISTRATE JUDGE

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March 12, 2008

The Honorable Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1660
New York, NY 10007

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/18/08**

**RE: Wilfredo Rodriguez v. Frank McCray
07-Civ-10655 (SHS)(THK)**

Your Honor:

I am currently assigned to handle the District Attorney's response to petitioner's *habeas corpus* petition in the above matter. Our response is due on March 21, 2008. I am writing to request an extension to file our Answer on or before April 18, 2008. This letter is respondent's second request for an adjournment, the first of which was granted to the date requested. Petitioner's attorney has consented to respondent's requested date.

I am currently assigned one direct appeal of a criminal conviction of an incarcerated defendant. I am also responding to two post-conviction motions in state Supreme Court and the Appellate Division. Additionally, I am assigned another *habeas corpus* petition in the Southern District. Accordingly, I respectfully request that this Court adjourn the date for our response to April 18, 2008. Per my conversation with petitioner's attorney, we have agreed that, with this Court's permission, petitioner be permitted to reply on or before May 16, 2008. If your Honor will need to contact me, I can be reached at (718) 590-7997. Thank you.

Respectfully submitted,

NOT ENDORSED

ANDREW S. HOLLAND (AH 7549)
Assistant District Attorney

cc: Jody G. Ratner, Esq.
Attorney for Petitioner
Center for Appellate Litigation
74 Trinity Place, 11th Floor
New York, NY 10006

*The response to the petition shall be
filed by no later than April 18, 2008.
Any reply shall be filed by May 16, 2008.*

SO ORDERED

3/18/08 Theodore H. Katz

**THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE**

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TO COUNSEL OF RECORD ON 3/18/08*